

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: David Ronald Harrison

Application No.: 10/612,550

Group No.: 2152

Filed: July 1, 2003

Examiner: Lee, Philip C.

For: NETWORK ANALYZER SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT
FOR MULTI-DIMENSIONAL ANALYSIS OF NETWORK TUNNELS

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 41.31)**

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed December 21, 2007, for a second time rejecting claims 1-5, 7, 9-18, 20, 22-29 and 31-33.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for the Notice of Appeal is:

Other than a small entity	\$510.00
Notice of Appeal fee due	\$510.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$510.00
TOTAL FEE DUE	\$510.00

5. FEE PAYMENT

Authorization is hereby made to charge the amount of \$510.00 to Deposit Account No. 50-1351 (Order No. NA11P306).

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351 (Order No. NA11P306).

Date: March 21, 2008

/KEVINZILKA/

Signature of Practitioner

Reg. No.: 41,429

Kevin J. Zilka

Tel. No.: 408-971-2573

Zilka-Kotab, PC

Customer No.: 28875

P.O. Box 721120

San Jose, CA 95172-1120